

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

7.089 ACRES OF LAND, MORE OR LESS,
SITUATE IN HIDALGO COUNTY,
STATE OF TEXAS; AND PAULA
OCHOA, *et al.*,

Defendants.

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CASE NO. 7:20-CV-156

COMPLAINT IN CONDEMNATION

1. This is a civil action brought by the United States of America at the request of the Secretary of the Department of Homeland Security, through the Acquisition Program Manager, Wall Program Management Office, U.S. Border Patrol Management Office Directorate, U.S. Border Patrol, U.S. Customs and Border Protection, Department of Homeland Security, for the taking of property under the power of eminent domain through a Declaration of Taking, and for the determination and award of just compensation to the owners and parties in interest.

2. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1358.

3. The interest in property taken herein is under and in accordance with the authority set forth in Schedule “A.”

4. The public purpose for which said interest in property is taken is set forth in Schedule “B.”

5. The legal description and map or plat of land in which certain interests are being acquired by the filing of this Complaint, pursuant to the Declaration of Taking, are set forth in Schedules “C” and “D.”

6. The interest being acquired in the property described in Schedules “C” and “D” is set forth in Schedule “E.”

7. The amount of just compensation estimated for the property interest being acquired is set forth in Schedule “F.”

8. The names and addresses of known parties having or claiming an interest in said acquired property are set forth in Schedule “G.”

9. Local and state taxing authorities may have or claim an interest in the property by reason of taxes and assessments due and eligible.

WHEREFORE, Plaintiff requests judgment that the interest described in Schedule “E” of the property described in Schedules “C” and “D” be condemned, and that just compensation for the taking of said interest be ascertained and awarded, and for such other relief as may be lawful and proper.

Respectfully submitted,

RYAN K. PATRICK
United States Attorney
Southern District of Texas

By: *s/ Roland D. Ramos*
ROLAND D. RAMOS
Assistant United States Attorney
Southern District of Texas No. 3458120
Texas Bar No. 24096362
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SCHEDULE

A

SCHEDULE A

AUTHORITY FOR THE TAKING

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved May 5, 2017, as Public Law 115-31, div. F, tit. VI, 131 Stat. 135, which appropriated the funds that shall be used for the taking.

SCHEDULE B

SCHEDULE B

PUBLIC PURPOSE

The public purpose for which said property is taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, cameras, sensors, gates, and related structures designed to help secure the United States/Mexico border within the State of Texas.

SCHEDULE C

SCHEDULE C

LEGAL DESCRIPTION

Hidalgo County, Texas

Tract: RGV-MCS-2026-1

Owner: Paula Ochoa, *et al.*

Acres: 7.089

Being a 7.089 acre tract (308,814 sq ft) parcel of land, more or less, being out of a calculated 39.586 acres, in Hidalgo County, Texas conveyed to Paula Ochoa ET AL, Volume 408, Page 8. Said parcel of land more particularly described by metes and bounds as follows;

Starting at COE Project control marker H100, having the following NAD83 (2011) Grid Coordinates N=16594788.77, E=1015646.60; Thence N 58°08'34" W a distance of 3405.36 feet to a found 4" iron pipe designated as RGV-MCS-2024-1-1=2026-1-1=2040-1, said point being the Northeast corner of the U.S. Fish & Wildlife Service tract, Volume 2756, Page 779 and the West line of the Paula Ochoa ET AL tract, Volume 408, Page 8 and on the East line of the Texas Parks and Wildlife Department tract, Volume 3385, Page 410 and on the West line of the I.B.W.C. Levee Right-of-Way File No. 30236-R-851H and on the East line of the I.B.W.C. Levee Right-of-Way File No. 30240-R-847H, for the **Point of Commencement**, and the **Point of Beginning**, having the following coordinates: N=16596586.13, E=1012754.20.

Thence: N 46°13'11" E along the East line of the Texas Parks and Wildlife Department tract, Volume 3385, Page 410 and the West line of the Paula Ochoa ET AL tract, Volume 408, Page 8 and the West line of the I.B.W.C. Levee Right-of-Way File No. 30236-R-851H, crossing the center of an existing wall at 188.54 feet, a distance of 242.18 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2024-1-5=2025-1-4=2026-1-2, for angle, said point being the Northeast corner of the Texas Parks and Wildlife Department tract, Volume 3385, Page 410 and the Southeast corner of the Ochoa Sixto tract, Volume 1109, Page 751;

Thence: N 36°33'11" E along said I.B.W.C. line, along the East line of the Ochoa Sixto tract, Volume 1109, Page 751 and the West line of the Paula Ochoa ET AL tract, Volume 408, Page 8, to the North toe of the Levee Road, a distance of 24.99 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2025-1-3=2026-1-3 for angle;

Thence: S 45°20'38" E departing said I.B.W.C. line, departing said property line, along said toe, a distance of 440.63 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2026-1-4 for angle;

SCHEDULE C, cont'd

Thence: S 44°42'40" E along said toe, a distance of 214.91 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2026-1-5 for angle, said point being the Northwest corner of the Jose N. & Mariano L. Villarreal tract, Property ID 509116, and on the East line of the Paula Ochoa ET AL tract, Volume 408, Page 8 and on the East line of the I.B.W.C. Levee Right-of-Way File No. 30236-R-851H;

Thence: S 28°49'27" E along the East line of the Paula Ochoa ET AL tract, Volume 408, Page 8 and the West line of the Jose N. & Mariano L. Villarreal tract, Property ID 509116, along said I.B.W.C. line, departing said toe, crossing the center of an existing wall at 242.44 feet, a distance of 248.94 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2026-1-6 for angle;

Thence: S 20°34'38" E along said property line, along said I.B.W.C. line, crossing the center of the levee road at 44 feet, a distance of 115.98 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2026-1-7 for angle;

Thence: S 11°34'38" E along said property line, along said I.B.W.C. line, a distance of 138.98 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2026-1-8 for angle;

Thence: S 47°52'12" W departing said property line, departing said I.B.W.C. line, a distance of 104.11 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2026-1-9 for angle, said point being on the South limit of the 150' enforcement zone;

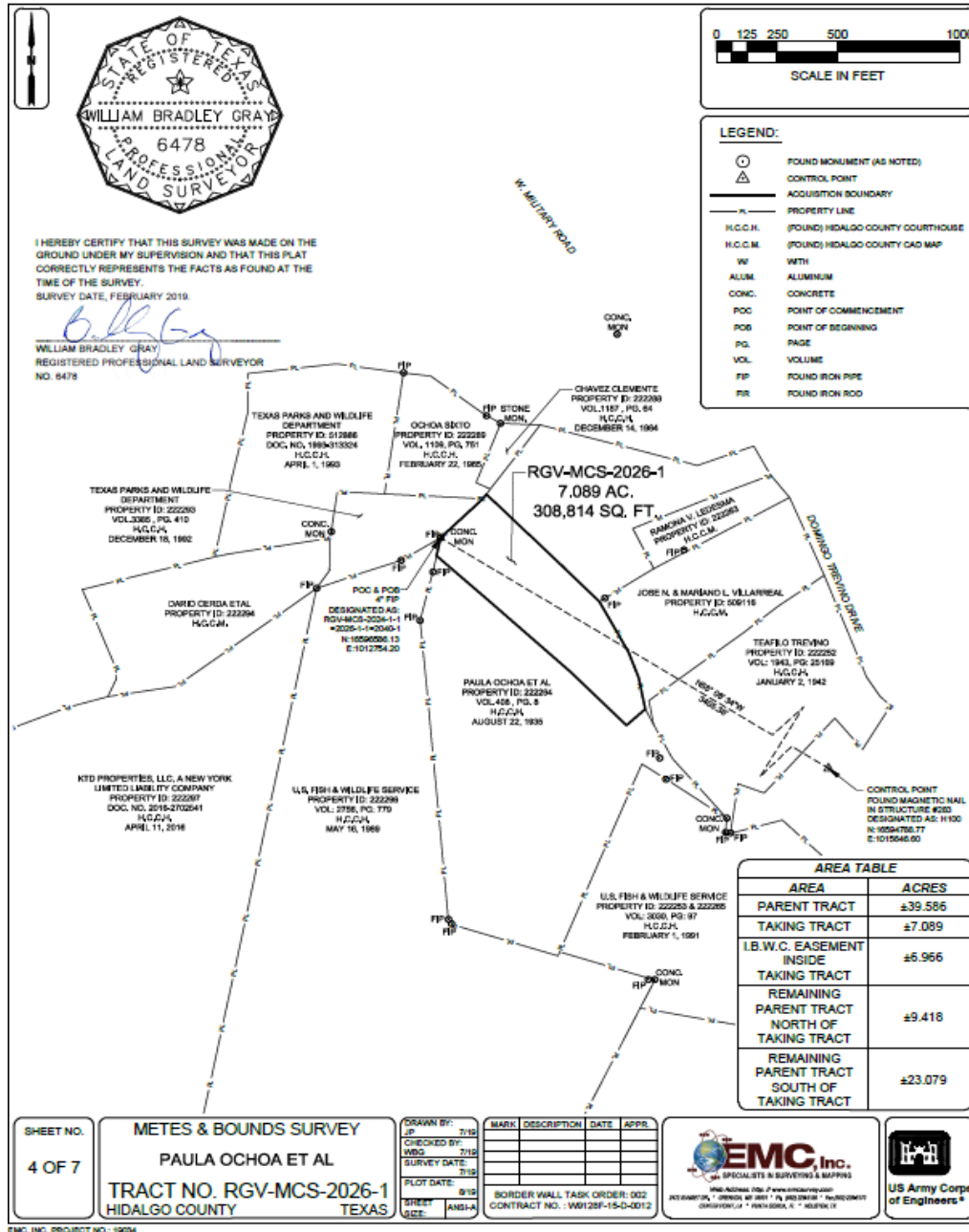
Thence: N 45°01'44" W along said enforcement zone, a distance of 328.34 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2026-1-10 for angle;

Thence: N 47°34'51" W along said enforcement zone, departing the I.B.W.C. Levee Right-of-Way File No. 30236-R-851H at 32.53 feet, crossing the center of an existing 17 foot wide dirt road at 264 feet, a distance of 459.06 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2026-1-11 for angle;

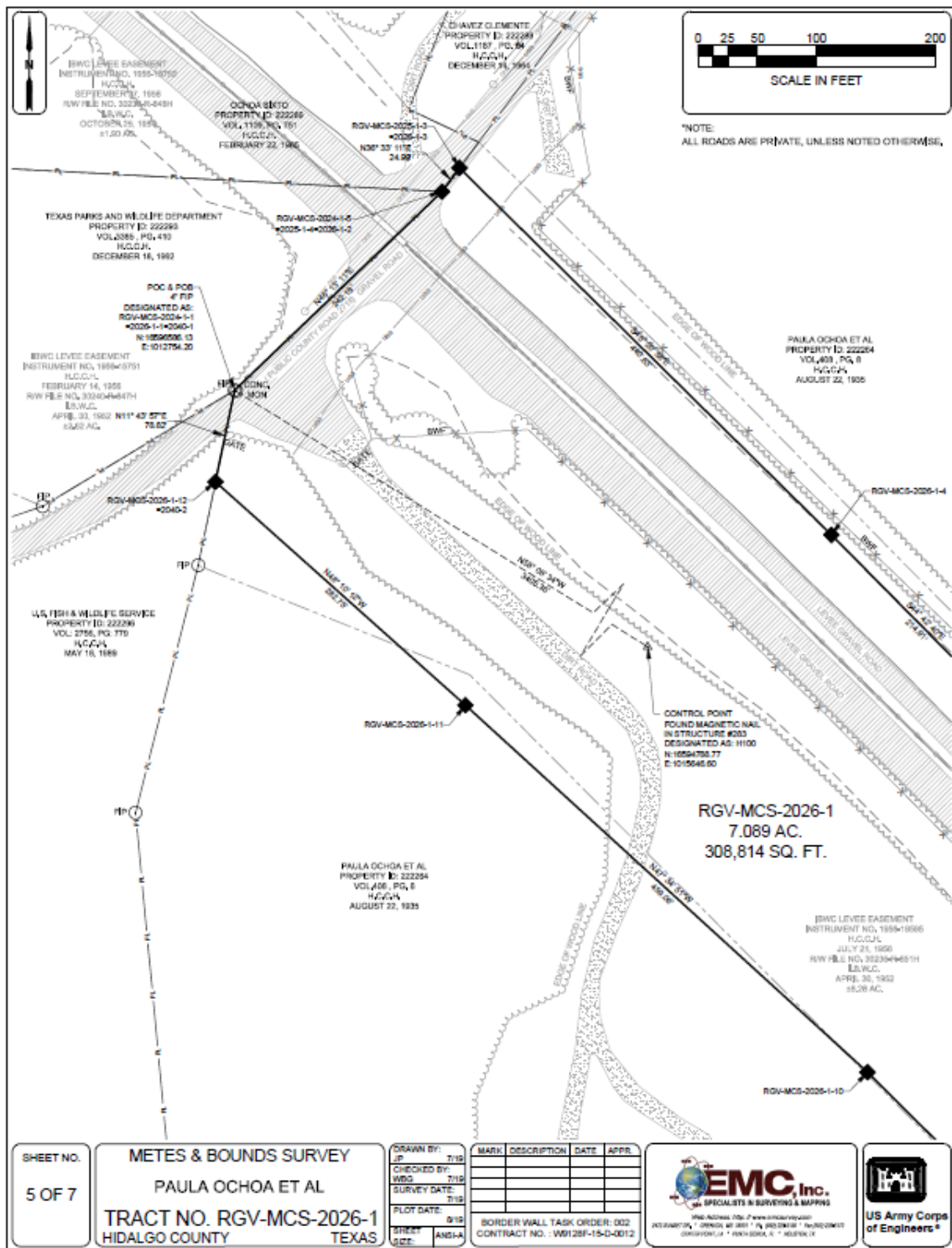
Thence: N 48°10'12" W along said enforcement zone, entering the I.B.W.C. Levee Right-of-Way File No. 30236-R-851H at 73.96 feet, a distance of 282.75 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-MCS-2026-1-12=2040-2 for angle, said point being on the West line of the Paula Ochoa ET AL tract, Volume 408, Page 8 and on the East line of the U.S. Fish & Wildlife Service tract, Volume 2756, Page 779 and on the West line of the I.B.W.C. Levee Right-of-Way File No. 30236-R-851H;

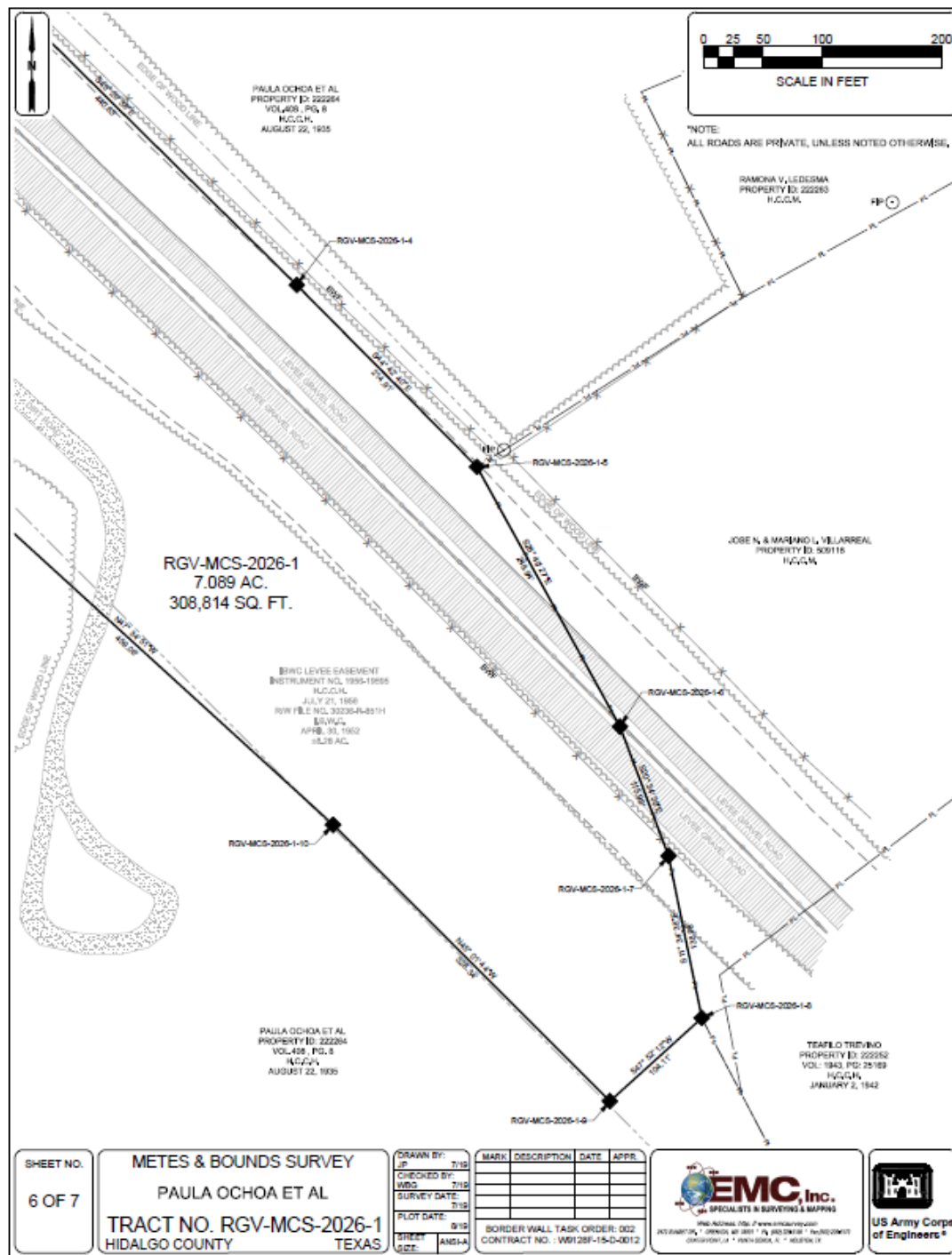
Thence: N 11°43'57" E along said property line, along said I.B.W.C. line, crossing the center of County Road 2718 at 64 feet, a distance of 78.82 feet, returning to the **Place of Beginning**.

SCHEDULE D

SCHEDULE D**MAP or PLAT****LAND TO BE CONDEMNED**

Tract: RGV-MCS-2026-1
 Owner: Paula Ochoa, et al.
 Acres: 7.089



SCHEDULE D, cont'd

| SYMBOL | DESCRIPTION | SYMBOL | DESCRIPTION | SYMBOL | DESCRIPTION |
|--------|--|--------|----------------------------------|--------|-----------------------------------|
| | FOUND MONUMENT (AS NOTED) | | UNDERGROUND FIBER OPTIC LINE | | EDGE OF RIPRAP |
| | SET 5/8" IR WALL MOUNTING CAP STAMPED (AS NOTED) | | UNDERGROUND FIBER OPTIC LINE | | EDGE OF VEGETATING (TYPE NOTED) |
| | CONTROL POINT | | CATCH BASIN | | MISCELLANEOUS SYMBOL (SEE LABEL) |
| | ACQUISITION BOUNDARY | | STORM GRATE | | (FOUND) CAMERON COUNTY COURTHOUSE |
| | EASEMENT LINE | | STORM SEWER VALVE | | (FOUND) HEDALOO COUNTY CAD MAP |
| | PROPERTY LINE | | STORM MANHOLE | | (FOUND) CAMERON COUNTY CAD MAP |
| | EXISTING WALL | | STORM SEWER | | WITH |
| | LEVEE CENTERLINE | | CULVERT | | UNKNOWN |
| | LEVEE TOP BANK | | HEADWALL AND WINGWALL | | ALUM. |
| | LEVEE TOE | | TOP OF DITCH | | CONC. |
| | EDGE OF ROAD (TYPE NOTED) | | BOTTOM OF DITCH | | CULV. |
| | SAVE AND EXCEPT AREA | | EDGE OF WATER | | POC |
| | EDGE OF SIDEWALK | | WATER PUMP | | POB |
| | BUILDING OUTLINE (SEE LABEL) | | MONITORING WELL | | PG. |
| | FENCE (TYPE NOTED) | | WATER VALVE | | VOL. |
| | EDGE OF STRUCTURE (SEE LABEL) | | WATER METER | | PIP |
| | BRIDGE OUTLINE | | HYDRANT | | FIR |
| | OVERHEAD ELECTRICAL LINE | | WATER EXTINGUISHER/FAUCET/SPIGOT | | 1STFR |
| | UNDERGROUND ELECTRICAL LINE | | WATER MANHOLE | | 2STFR |
| | LIGHT POLE | | WATER LINE | | 1STBR |
| | UTILITY POLE | | LIFT STATION | | 2STBR |
| | GUY END | | PUMP STATION | | 1STCB |
| | GUY POLE | | SEWER CLEAN OUT | | 2STCB |
| | JUNCTION BOX | | SEWER MANHOLE | | 1STSB |
| | ELECTRICAL MANHOLE | | SEWER WATER PUMP | | 2STSB |
| | ELECTRICAL METER | | SANITARY SEWER VAULT | | SHDWF |
| | ELECTRICAL PULL BOX | | SANITARY SEWER LINE | | SHDBR |
| | TRANSMISSION TOWER | | GAS TANK | | CLF |
| | SUBSTATION | | GAS VALVE | | WF |
| | ELECTRICAL TRANSFORMER | | GAS METER | | SBF |
| | COMMUNICATIONS/TELEPHONE MANHOLE | | GAS LINE MARKER | | BWF |
| | COMMUNICATIONS/TELEPHONE JUNCTION BOX/PEDESTAL | | GAS VAULT | | GAT |
| | OVERHEAD COMMUNICATIONS/TELEPHONE LINE | | GAS LINE | | CEM |
| | | | DOCKS / DECKS / PIERS | | HDSTW |
| | | | | | HEAD STONE |

1. THE BEARINGS, DISTANCES AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD 83(2011), TX SOUTH ZONE(4205), US SURVEY FEET, USING THE CORRS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING A SCALE FACTOR OF 0.9999912484 (E.G. GRID X 0.9999912484 = SURFACE).
2. A SEPARATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.
3. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THE SUBJECT PARCEL MAY BE SUBJECT TO RECORDED, UNRECORDED OR MIS-INDEXED INSTRUMENTS OR FACTS WHICH WOULD BE REVEALED BY A THOROUGH TITLE EXAMINATION.
4. THE REMAINING ACREAGE OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND/OR GIS INFORMATION PROVIDED BY THE COUNTY AND IS NOT BASED ON FIELD DIMENSIONS.
5. EMC, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS THE PRIME CONSULTANT. THE CORPS CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (817) 886-11453.
6. TEXAS 811 UTILITY LOCATE REQUEST WAS SUBMITTED FOR THIS SURVEY ON JULY 16, 2019 (TICKET NO. 1969705456).
7. LONE STAR 811 UTILITY LOCATE REQUEST WAS SUBMITTED FOR THIS SURVEY ON JULY 16, 2019 (TICKET NO. 591991099).

| MONUMENT TABLE | | |
|------------------------------------|--------------|-------------|
| MONUMENT NAME | NORTHING | EASTING |
| RGV-MCS-2024-1-1=2026-1-1=2040-1 | 16596586.130 | 1012754.205 |
| RGV-MCS-2024-1-5=2025-1-4=2026-1-2 | 16596753.692 | 1012929.058 |
| RGV-MCS-2025-1-3=2026-1-3 | 16596773.765 | 1012943.939 |
| RGV-MCS-2026-1-4 | 16596464.069 | 1013257.376 |
| RGV-MCS-2026-1-5 | 16596311.339 | 1013408.573 |
| RGV-MCS-2026-1-6 | 16596093.241 | 1013528.594 |
| RGV-MCS-2026-1-7 | 16595984.660 | 1013569.357 |
| RGV-MCS-2026-1-8 | 16595848.511 | 1013597.248 |
| RGV-MCS-2026-1-9 | 16595778.672 | 1013520.037 |
| RGV-MCS-2026-1-10 | 16596010.724 | 1013267.750 |
| RGV-MCS-2026-1-11 | 16596320.383 | 1012948.858 |
| RGV-MCS-2026-1-12=2040-2 | 16596508.953 | 1012738.177 |



US Army Corps
of Engineers®

SCHEDULE E

SCHEDULE E

ESTATE TAKEN

Hidalgo County, Texas

Tract: RGV-MCS-2026-1
Owner: Paula Ochoa, *et al.*
Acres: 7.089

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Reserving to the owners of the lands identified in Volume 408, Page 8, Official Records of Hidalgo County (O.R.H.C.) reasonable access to and from the owners' lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled "Beginning" and easternmost mark labeled "Ending" depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation and maintenance of the border barrier.

SCHEDULE E, cont'd



SCHEDULE F

SCHEDULE F




ESTIMATE OF JUST COMPENSATION

The sum estimated as just compensation for the land being taken is FORTY FIVE THOUSAND SIX HUNDRED TWENTY-SEVEN DOLLARS AND NO/100 (\$45,627.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

SCHEDULE G


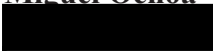

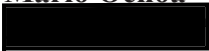

SCHEDULE G**INTERESTED PARTIES**








The following table identifies all persons who have or claim an interest in the property condemned and whose names are now known, indicating the nature of each person's property interest(s) as indicated by references in the public records and any other information available to the United States. *See* Fed. R. Civ. P. 71.1(c).

| Interested Party | Reference |
|---|--|
| Paula Ochoa  Mission, Texas 78572 | Affidavit of Heirship, Document #1956-17207; Recorded October 24, 1956; Official Records of Hidalgo County Affidavit of Heirship, Doc #2006-1617621; Recorded May 19, 2006; Official Records of Hidalgo County |
| Anita Ochoa Kosienski  San Antonio, Texas 78242 | Affidavit of Heirship, Document #1956-17207; Recorded October 24, 1956; Official Records of Hidalgo County Affidavit of Heirship, Document #2006-1617621; Recorded May 19, 2006; Official Records of Hidalgo County |
| Estate of Enriqueta O. Reyes Address unknown | Affidavit of Heirship, Document #1956-17207; Recorded October 24, 1956; Official Records of Hidalgo County Affidavit of Heirship, Document #2006-1617621; Recorded May 19, 2006; Official Records of Hidalgo County |
| Noemi Flores Oevermann  Burton, Texas 77835 | Est. of Eloisa Ochoa Flores via: <i>Affidavit of Heirship,</i> Document #1956-17207; Recorded October 24, 1956; |

| | |
|---|--|
| | <p>Official Records of Hidalgo County</p> <p><i>Affidavit of Heirship,</i> Document #2006-1617621; Recorded May 19, 2006; Official Records of Hidalgo County</p> |
| <p>Omar Flores [REDACTED] Channelview, Texas 77530</p> | <p>Est. of Eloisa Ochoa Flores via:</p> <p><i>Affidavit of Heirship,</i> Document #1956-17207; Recorded October 24, 1956; Official Records of Hidalgo County</p> <p><i>Affidavit of Heirship,</i> Document #2006-1617621; Recorded May 19, 2006; Official Records of Hidalgo County</p> |
| <p>Dagoberto Flores [REDACTED] Channelview, Texas 77530</p> | <p>Est. of Eloisa Ochoa Flores via:</p> <p><i>Affidavit of Heirship,</i> Document #1956-17207; Recorded October 24, 1956; Official Records of Hidalgo County</p> <p><i>Affidavit of Heirship,</i> Document #2006-1617621; Recorded May 19, 2006; Official Records of Hidalgo County</p> |
| <p>The Nazaria G. Ochoa Third Amended and Restated Declaration of Trust dated November 4, 2019 (f/k/a The Nazaria G. Ochoa Revocable Living Trust dated August 12, 2011, The Nazaria G. Ochoa First Amended and Restated Declaration of Trust dated April 16, 2018 and The Nazaria G. Ochoa Second Amended and Restated Declaration of Trust dated June 6, 2018) Nazaria G. Ochoa, Trustee [REDACTED] Mission, Texas 78572</p> | <p>Declaration of Trust, Document #2011-2231916, Recorded August 12, 2011; Official Records of Hidalgo County</p> <p>Third Amended and Restated Declaration of Trust, Document #2019-3063328, Recorded November 12, 2019; Official Records of Hidalgo County</p> |

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|--|---|
| Idalia O. Gonzalez [REDACTED] Mission, Texas 78574 | Affidavit of Heirship, Document #2011-2231915, Recorded August 12, 2011; Official Records of Hidalgo County |
| Nelda O. Granados [REDACTED] Mission, Texas 78572 | Affidavit of Heirship, Document #2011-2231915, Recorded August 12, 2011; Official Records of Hidalgo County |
| Leticia O. Moreno [REDACTED] Palmhurst, Texas 78573 | Affidavit of Heirship, Document #2011-2231915, Recorded August 12, 2011; Official Records of Hidalgo County |
| Guadalupe Ochoa [REDACTED] Mission, Texas 78572 | Affidavit of Heirship, Document #2006-1617623, Recorded May 19, 2006; Official Records of Hidalgo County |
| Rodolfo Ochoa, Jr. [REDACTED] West Plains, Missouri 65775 | Affidavit of Heirship, Document #2006-1617623, Recorded May 19, 2006; Official Records of Hidalgo County |
| Fernando Ochoa [REDACTED] Mission, Texas 78572 | Affidavit of Heirship, Document #2006-1617623, Recorded May 19, 2006; Official Records of Hidalgo County |
| Erineo Ochoa [REDACTED] Canadian, Texas 79014 | Affidavit of Heirship, Document #2006-1617623, Recorded May 19, 2006; Official Records of Hidalgo County |
| Jesus Ochoa [REDACTED] Canadian, Texas 79014 | Affidavit of Heirship, Document #2006-1617623, Recorded May 19, 2006; Official Records of Hidalgo County |
| Ruben Ochoa [REDACTED] Sullivan City, Texas 78595 | Affidavit of Heirship, Document #2006-1617623, Recorded May 19, 2006; Official Records of Hidalgo County |

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|--|--|
| Guadalupe M. Elizondo  Mission, Texas 78572 | Affidavit of Heirship, Document #2006-1617623, Recorded May 19, 2006; Official Records of Hidalgo County |
| Miguel Ochoa  La Joya, Texas 78560 | Affidavit of Heirship, Document #1997-610271, Recorded July 14, 1997; Official Records of Hidalgo County Corrected Affidavit of Heirship, Document #2014-2562394, Recorded November 7, 2014; Official Records of Hidalgo County |
| Maribel Ochoa Gonzalez  Palmview, Texas 78572 | Affidavit of Heirship, Document #1997-610271, Recorded July 14, 1997; Official Records of Hidalgo County Corrected Affidavit of Heirship, Document #2014-2562394, Recorded November 7, 2014; Official Records of Hidalgo County |
| Mario Ochoa  McAllen, Texas 78504 | Affidavit of Heirship, Document #1997-610271, Recorded July 14, 1997; Official Records of Hidalgo County Corrected Affidavit of Heirship, Document #2014-2562394, Recorded November 7, 2014; Official Records of Hidalgo County |
| Marv Lou Ochoa Hernandez  Mission, Texas 78572 | Affidavit of Heirship, Document #1997-610271, Recorded July 14, 1997; Official Records of Hidalgo County Corrected Affidavit of Heirship, Document #2014-2562394, Recorded November 7, 2014; Official Records of Hidalgo County |

| | |
|---|--|
| San Juanita Farias  Mission, Texas 78572 | Affidavit of Heirship, Document #2016-2678894, Recorded January 21, 2016; Official Records of Hidalgo County |
| Jesusa Rodriguez  McAllen, Texas 78501 | Affidavit of Heirship, Document #2016-2678894, Recorded January 21, 2016; Official Records of Hidalgo County |
| Medardo Cantu  Mission, Texas 78572 | Affidavit of Heirship, Document #2016-2678894, Recorded January 21, 2016; Official Records of Hidalgo County |
| Rogelio Ochoa  Mission, Texas 78572 | Affidavit of Heirship, Document #2006-1611933, Recorded May 5, 2006; Official Records of Hidalgo County |
| Noelia Ochoa Saenz  McAllen, Texas 78501 | Affidavit of Heirship, Document #2006-1611933, Recorded May 5, 2006; Official Records of Hidalgo County |
| Eliazar Santana II  Mission, Texas 78574 | Affidavit of Heirship, Document #2006-1617620, Recorded May 19, 2006; Official Records of Hidalgo County |
| Roberto Ignacio Santana  Mission, Texas 78572 | Affidavit of Heirship, Document #2006-1617620, Recorded May 19, 2006; Official Records of Hidalgo County |
| Pablo "Paul" Villarreal, Jr. Hidalgo County Tax Assessor & Collector 2804 S. Business Highway 281 Edinburg, Texas 78539 | Tax Authority |

JS 44 (Rev. 06/17)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

United States of America

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Roland D. Ramos, United States Attorney's Office, SDTX, 1701 West
Bus. HWY 83, Ste 600, McAllen, TX 78501

DEFENDANTS

7.089 Acres of Land, More or Less Situate in Hidalgo County, State of
Texas; and Paula Ochoa, et al.,

County of Residence of First Listed Defendant Hidalgo

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)
☒ 1 U.S. Government
Plaintiff

☐ 3 Federal Question
(U.S. Government Not a Party)

☐ 2 U.S. Government
Defendant

☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)
III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

| | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions](#)

| CONTRACT | TORTS | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES | |
|---|--|--|---|---|---|
| <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise | PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice | PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability | <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions | <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609 | <input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes |
| REAL PROPERTY <input checked="" type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property | CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education | PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement | | | |

V. ORIGIN (Place an "X" in One Box Only)

☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from Another District (specify)
 ☐ 6 Multidistrict Litigation - Transfer
 ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

40 U.S.C. 3113 and 3114

Brief description of cause:

Land condemnation proceeding for fee simple interest to construct, install, operate and maintain border security.

VII. REQUESTED IN COMPLAINT:
☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.
DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

06/11/2020

SIGNATURE OF ATTORNEY OF RECORD

ROLAND
RAMOS

Digitally signed by ROLAND
RAMOS
Date: 2020.06.11 13:48:16
+0500

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____